

ABDULMAJID P. MACRE, PETITIONER, V. BAGUIO CITY MAYOR MAURICIO G. DOMOGAN, BAGUIO CITY VICE-MAYOR DANIEL T. FARINAS, SANGGUNANG PANGLUNGSOD MEMBERS OF BAGUIO CITY NICASIO M. AL...

Ponente: LANTION, J.A.C., J.

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LANTION, J.A.C., J.:

Before Us is a Petition for Certiorari under Rule 65 of the Rules of Court filed by Petitioner Abdulmajid P. Macre assailing the Joint Resolution dated 13 June 2013 issued by the Office of the Ombudsman (“Ombudsman” for brevity).

Perusing the instant Petition, We find the following infirmities which warrant its outright dismissal:

1. Petitioner did not indicate the date he received the assailed Joint Resolution dated 13 June 2013 of the Ombudsman. Neither did Petitioner state the date he filed a motion for reconsideration thereof, in violation of Section 3, Rule 46 of the Rules of Court.[1]
2. Petitioner did not attach a duplicate original or a certified true copy of the abovementioned Joint Resolution dated 13 June 2013 of the Ombudsman, in violation of Section 3, Rule 46, supra.[2]
3. Aside from the lone Joint Order[3] dated 13 November 2013 issued by the Ombudsman, which denied Petitioner's motion for reconsideration, the Petition is not accompanied by the material portions of the record referred to therein. Neither is the Petition accompanied by any relevant or pertinent documents which would support the allegations therein, in violation of Section 3, Rule 46, supra,[4] such as the assailed Joint Resolution dated 13 June 2013 of the Ombudsman, the criminal and administrative complaint, the affidavits attached thereto, and the motion for reconsideration filed by Petitioner, among others.
4. Petitioner did not attach an affidavit of service of the person who mailed the Petition, in violation of Section 13, Rule 13, supra.[5]
5. The dates of issuance of the IBP and PTR numbers of counsel for Petitioner are not updated.[6]

ACCORDINGLY, the instant Petition is DISMISSED.

SO ORDERED.

Veloso (Chairperson) and Antonio-Valenzuela, JJ., concur.

[1] Section 3, Rule 46 of the Rules of Court provides:

SEC. 3. Contents and filing of petition; effect of non-compliance with requirements. - The petition shall contain the full names and actual addresses of all the petitioners and respondents, a concise statement of the matters involved, the factual background of the case, and the grounds relied upon for the relief prayed for.

In actions filed under Rule 65, the petition shall further indicate the material dates showing when notice of the judgment or final order or resolution subject thereof was received, when a motion for new trial or reconsideration, if any, was filed and when notice of the denial thereof was received.

It shall be filed in seven (7) clearly legible copies together with proof of service thereof on the respondent with the original copy intended for the court indicated as such by the petitioner, and shall be accompanied by a clearly legible duplicate original or certified true copy of the judgment, order, resolution, or ruling subject thereof, such material portions of the record as are referred to therein, and other documents relevant or pertinent thereto . . .

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The failure of the petitioner to comply with any of the foregoing requirements shall be sufficient ground for the dismissal of the petition. (Emphasis supplied)

[2] Ibid.

[3] Rollo, pp. 22-27.

[4] Supra note 1.

[5] Section 13, Rule 13 of the Rules of Court requires as follows:

SEC. 13. Proof of service. - Proof of personal service shall consist of a written admission of the party served, or the official return of the server, or the affidavit of the party serving, containing a full statement of the date, place and manner of service. If the service is by ordinary mail, proof thereof shall consist of an affidavit of the person mailing of facts showing compliance with section 7 of this Rule. If service is made by registered mail, proof shall be made by such affidavit and the registry receipt issued by the mailing office. The registry return card shall be filed immediately upon its receipt by the sender, or in lieu thereof the unclaimed letter together with the certified or sworn copy of the notice given by the postmaster to the addressee. (Emphasis supplied)

[6] B.M. No. 1132 dated November 12, 2002 states:

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The Court resolved upon recommendation of the Office of the Bar Confidant, to GRANT the request of the Board of Governors of the Integrated Bar of the Philippines and the Sangguniang Panlalawigan of Ilocos Norte to require all lawyers to indicate their Roll of Attorneys Number in all papers or pleadings submitted to the various judicial or quasi-judicial bodies in addition to the requirement of indicating the current Professional Tax Receipt (PTR) and the IBP Official Receipt or Life Member Number.

Strict compliance herewith is hereby enjoined effective immediately.

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